

Frequently Asked Questions and Answers for Delaware's New Fishing License Fees

Question: When will I be required to have a license to fish, crab, or clam in Tidal Waters of Delaware?

Answer: January 1, 2008.

Q. What are my options for purchasing licenses?

A. The following are options available to anglers:

- ✓ Resident annual fishing license - \$8.50
- ✓ Non-resident annual fishing license - \$20.00
- ✓ 7-day tourist fishing license - \$12.50
- ✓ Charter boat license (vessel hired on a per trip basis) - \$150 for Residents/\$300 Non-Resident
- ✓ Head boat license (vessel hired on a per person basis) - \$300 Resident/\$600 Non- Resident
- ✓ Recreational Boat license less than 20 feet in length - \$40 (Same cost for Residents and Non-Residents)
- ✓ Recreational Boat license longer than 20'- \$50 (Same cost for Residents and Non-Residents)

A. A license is required in all waters to fish, clam or crab.



Q. At what age do I need a license?

A. Residents 16 to 64 inclusive and Non-Residents 16 and older need a license.

Q. Will I need both a boat fishing license and a general fishing license?

A. No, you will need one or the other not both depending on individual circumstances. During our public hearings/workshops, anglers unanimously requested the option for a boat fishing license. Residents will receive a complimentary \$8.50 general fishing license as well when they purchase a boat fishing license (owner of the boat). Non-Residents will receive only the boat fishing license.

Q. If someone owns a boat, and only uses it one week a year to fish, must they buy the special boat fishing license?

A. No one must buy a boat fishing license. This is one of two options. You may buy a boat fishing license or you may buy an individual license. It is up to each angler to make the determination that is best for him/her depending on how they fish. The boat license covers everyone on the licensed vessel while they are fishing on that vessel.

Q. Can the owner of a boat license and his guests walk out to clam or crab from a shoreline access site without the boat?

A. Only a resident who owns the boat and has a boat license may walk from shore to clam or crab without using the boat. The guests would not be covered under his or her individual license. The boat license really benefits those individuals who often have guests that go with them that do not have a license. The boat license will be a decal that is affixed to the boat.

Q. If I have a boat license and I anchor my boat out in the Bay, may I wade and clam without further licensing as long as the boat is nearby? Can the rest of my party from the boat do the same?

A. Yes.

Q. If I have a boat license and my boat is docked, can I crab from the pier?

A. Yes, if you are a resident because you also have a complimentary license, but any others in your party who are crabbing are subject to licensing provisions. A non-resident boat license holder would also need a fishing license if he or she is not actually fishing from the boat that is licensed.

Q. I have a boat license and I go out in the morning with four other people onboard and we set 10 crab pots. I return in the evening myself to check the pots. Is this ok under the boat license?

A. No, because you would be tending more than two pots which is the legal limit for each individual. If 10 pots were set, five people would need to be on the boat to return to check the pots. In addition, the pots would need to be marked with all white buoys and each person's full name inscribed either on the buoy or waterproof tag attached to the buoy. So there would be 10 pots with each set of two having the angler's information.

Q. If I own more than one boat and I am a resident, what happens to the general fishing license that is included with the boat license?

A. The general resident license is void for any additional boats registered and may not be transferred.



Q. Does the owner of a boat that has a boat license have to be on the boat or operating the boat?

A. No the boat fishing license is for the boat.

Q. Who may obtain a boat fishing license?

A. Boat fishing licenses are issued to the owner of the boat listed on the boat registration. Agents issuing the licenses will require you to have your registration or documentation card. If there is more than one owner of the boat, the owner may decide which individual will get the boat license. If you are a resident and own two boats and there are two owners, one boat may be registered in one name and the second in the other owner's name. This will allow each owner to get the general fishing license.

Q. If two people have a surf fishing permit/vehicle license for their vehicles, can the two people go in one vehicle to fish without a special fishing permit? Also, if they take friends along to surf fish, do the friends need a special permit?

A. Only the operator of the vehicle that is permitted may fish without a license on the beach. Any other anglers will need to have a general \$8.50 (resident) or \$12.50 (tourist) or \$20.00 (non-resident) license regardless of whether or not they have another vehicle permit. The exemption in the code is only for the vehicle operator who has the surf tag.

Q. I am a resident and 65 years or older. What are my exemptions from licensing?

A. You are exempt from licensing whether you are on your boat or fishing from shore. However, if you are on your boat and there are people who are not exempt from licensing, they must have licenses. Your options are to have each individual obtain a license or you may purchase a boat fishing license. You would need to purchase a boat fishing license because your age exemption does not allow you to transfer that exemption to other people.

Q. Is my boat registration the same or does it take the place of the boat fishing license?

A. There is no relationship between a boat registration and a boat fishing license. The boat registration would still need to be renewed when due.

Q. I am a non-resident who enjoys fishing in both tidal and non-tidal areas. If I have a Delaware boat license for my big boat, will it cover me when I fish in the freshwater pond from shore?

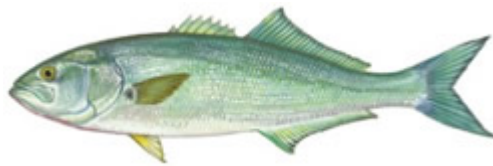
A. No. The boat license only covers residents in both tidal and non-tidal areas. In this case a non-resident would be required to purchase a general fishing license or 7-day license.

Q. I own more than one boat. Do I need a boat license for both, or can I transfer it from one to the other?

A. A boat license cannot be transferred from one boat to another therefore it does not cover both boats.

Q. I have a boat fishing license that I use on a boat in tidal water. Can I use the boat in non-tidal waters with the same boat fishing license?

A. Yes



Q. How many crabs and clams can I take with my recreational fishing license?

A. A resident may take a bushel of crabs and 100 clams. A non-resident may take a bushel of crabs and 50 clams. If a person wishes to take more than 100 clams up to and including 500 clams per day, he or she needs to purchase a Non-Commercial Clamming Permit for an additional \$5.75 as a resident. The Non-Commercial Clamming Permit costs \$57.50 for non-residents.

Q. If I fish exclusively in federal ocean waters outside of Delaware's 3-mile limit, do I need a Delaware fishing license?

A. No, unless you drop a line on the way inside of the 3-mile limit.

Q. If I launch from Delaware and fish in Delaware Bay only on the New Jersey side of the Bay, do I need a Delaware fishing license?

A. No. However, if you return to Delaware waters by boat, any catches you made in N.J. waters must still conform to Delaware possession limits (minimum size, daily harvest limits).

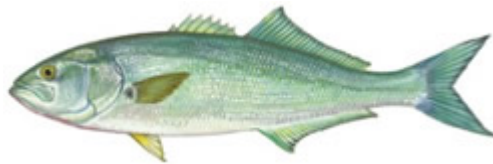
Q. If I launch my boat from anywhere in New Jersey and fish in the Delaware River, Delaware Bay and Atlantic Ocean in Delaware territorial waters (including between the upstream tip of Artificial Island and the Delaware/Pennsylvania line), do I need a Delaware fishing license?

A. Yes

Q. I launch my boat from Cape May, NJ and fish in the lower Delaware Bay to the ocean. Do I need a Delaware fishing license?

A. If you launch your boat in NJ and fish within New Jersey's jurisdiction of the Bay and Ocean, then you would not be required to have a Delaware fishing license. However, if you plan on fishing within Delaware's jurisdiction of the Bay and ocean then it would be necessary for you to have a Delaware license. The boundary line in the Bay is fairly clear cut. The shipping channel marks the boundary line between the two States, however once you get into the ocean it becomes a little muddled. Delaware maintains jurisdiction within a 3-mile boundary from shore just like NJ does but that is not marked like the shipping channel is.

The license requirement is just like the fishing regulations. If you are fishing on Delaware's side of the bay and you are checked by an enforcement agent, any fish in your box would have to conform to Delaware's size and creel limits even though you might have actually caught them when you were on the NJ side.



Q. Do I need a fishing license if I fish on a private pond?

A. The only exemption is for residents who own or live upon farms in Delaware containing 20 or more acres, and the members of their immediate families who reside on the farm. They may hunt, fish and trap on the farm without being licensed.

Q. I have a boat registered in Delaware and I have a Maryland Boat Fishing License. Do I need a Delaware Boat Fishing License?

A. You need a Delaware Boat Fishing License to fish in any of Delaware's waters. Delaware does not have reciprocity agreement with any other State at this time.

Q. May I launch my boat in Delaware without a Delaware boat fishing license to travel to Maryland or another State to fish where I have a legal license to fish in that State?

A. Yes, but you cannot fish in Delaware along the way.

Q. What are the licensing requirements and exemptions for residents and non-residents for hunting and fishing?

A. [Title 7, Chapter 5, Delaware Code](#) defines our authority.